

MEMORANDUM

TO: Natalie Johnson Lee, Chairperson, Health & Human Services Committee

FROM: Vanne Owens Hayes, Director, Minneapolis Department of Civil Rights

RE: Proposed 2004 Target Strategy Options for MDCR for Public Hearing on April 21, 2003 at 1:30 p.m. time certain

cc: Council Members Robert Lilligren, Barbara Johnson, Don Samuels, Paul Zerby, Dean Zimmermann; Mayor R.T. Rybak; City Coordinator John Moir

April 14, 2003

2004 Targeted Reduction

The targeted reduction for the Minneapolis Department of Civil Rights [MDCR] for 2004 is **\$442,000** or **22% of our General Fund budget**. **We would achieve the targeted amount by reducing personnel costs and non-personnel costs by the amounts listed in the Plans below.** Of necessity we will eliminate positions and reduce services. The reduction in services, illustrated in the three options below, needs a policy decision and input from the public.

1. Plan A [Cease Taking Complaints of Discrimination due to Lack of Resources and Service Can be Provided by the State]

Based on previous discussions with the Mayor and some City Council Members, it has become clear that there is a desire for Civil Rights to move in a new direction and transfer our enforcement of M.C.O. Chapter 139.40 to the State of Minnesota Human Rights Department.

Personnel reduction	\$442,000
Non-personnel reduction	<u>-0-</u>
	\$477,000

- We would cease handling complaints [M.C.O. Chapter 139.40]. We would eliminate 2 case investigator positions and transfer 2 case investigators to CRA to fill the position of Case Investigator and that of Community Outreach Advocate.
- The Small and Underutilized Business Program would be transferred to either CPED or Purchasing.
- We would eliminate 1 Administrative Assistant position.
- We would reduce the number of Managers from 6 to 3.
- Salary slippage would be **\$35,000** of the **\$442,000** reduction from personnel.

- **We would lay-off 5 employees and re-assign 5 positions.**
3>Community Outreach, 2> CRA

The **impact** of Plan A would be:

- Loss of our revenue contract with EEOC [\$62,000 which covers employment, ADA, and Title VII cases at \$500 per case]
- Modification or elimination of Chapter 139.40 and other provisions related to the enforcement of the Civil Rights Ordinance regarding intake, investigation, mediation, appeal, and final resolution of complaints.
- Transition period of **6 months to 1 year** so that an orderly transition can be made from MDCR to the State. We would complete all cases to final resolution before closing the Complaint Investigations Unit.
- Reduction of the number of Civil Rights Commissioners as a 21-member board would not be necessary if there is no adjudicative role for the Commission.
- The enforcement of gay rights under the Minneapolis Civil Rights Ordinance, according to OUTFRONT Minnesota is broader under the City's ordinance than that of the State.
- The civil remedy of damages under the Minneapolis City Right's Ordinance would no longer be an available remedy to constituents for discriminatory conduct because that provision would be eliminated.

2. PLAN B [Reduces Complaint Investigations Unit while retaining Civilian Review Authority.]

Plan B would maintain the delivery of core services of enforcement under M.C.O. Chapters 139, 141, 172 and 423 [includes Complaint Investigations, Contract Compliance, Civilian Review Authority, and Small and Underutilized Business Program] with severe modification.

Personnel reduction	\$420,000
Non-personnel reduction	<u>22,000</u>
Total	\$442,000

- We would continue to take complaints of discrimination in employment, ADA, Title VII, and public service [police, restaurants, etc.] with fewer investigators.
- Our contract with Equal Employment Opportunity Commission [EEOC] would continue, providing us with revenue of \$62,000 for processing 123 cases annually.
- We would explore increasing revenues from our service agreements with Minneapolis Public Housing Authority, Park Board, Library, and MCDA/CPED.

- Our Community Outreach initiatives would require some outside funding to support our programs, e.g. Community Summits.
- We would layoff 5 employees.
- We would re-assign 4 positions [1 Complaint Investigator to CRA, 1 Manager would become a Community Outreach Coordinator position, 1 Administrative Assistant would be assigned to Community Outreach]
- Additionally we will have 1 contract compliance officer retire and 1 complaint investigator relocate out of town (resignation).

Impact of Plan B

- We would only take Complaints in the area of Employment and Public Service, approximately 52% of our current caseload. Other complaints would be handled by the State of Minnesota.
- There would need to be modification of the Minneapolis Civil Rights Ordinance to enable us narrow our enforcement.
- Complaints would be handled by two investigators who would be part of the unit to be called Community Outreach and Education
- We would no longer have the position of Deputy Director.
- We would reduce the number of managers from 6 to 4 [Contract Compliance, Civilian Review, Community Outreach and Education, and Small and Underutilized Business Program].

3. PLAN C [Eliminates Civilian Review for Lack of Resources]

Plan C would eliminate the Civilian Review Authority whenever all current cases are fully processed and resolved, estimated to be February, 2004.

- The SUBP would transfer either to CPED or Finance [Procurement] if either of those departments agree and the City Council approves.
- We would continue to enforce M.C.O. Chapters 139, 141, and 423 and thus maintain the civil rights protections these provisions provide.
- Community outreach would be coordinated by Complaint Investigations, as it is currently.
- Outside funding would be needed to support existing programs, e.g. Community Summits.

Personnel Reductions	\$442,000 [includes salary slippage of \$61,000]
Non-personnel Reductions	-0-
Total	\$442,000

IMPACT OF PLAN C

- This City and this community need civilian police oversight. Many people from the community and City staff have spent numerous hours redesigning the program to better meet the needs of the community.

There continues to be too many incidents of police misconduct towards citizens. Unfortunately, the targeted cut to our Department necessitates a Solomon-like choice for the City. If this option is supported by City leadership, we would closeout cases to full resolution prior to eliminating the program.

- We would eliminate the 4 positions in CRA [Manager, 2 Case Investigators, 1 Program Assistant].
- We would eliminate the position of Deputy Director
- We would realize salary slippage of \$**61**,000.